

towns; and whereas there is no reason for derogating from the general law as regards the property of the *Fabrique* of Longueuil, and whereas it has prayed that the property of the said *Fabrique* of Longueuil be replaced under the general law respecting towns, as regards exemption from taxation, and it is expedient to grant its prayer;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Sections 229 and 230 of the act 44-45 Victoria, chapter 44-45 V., c. 75, intituled : " An Act to amend and consolidate the act incorporating the town of Longueuil, 37 Victoria, chapter 49, and the act amending the same, 39 Victoria, chapter 46," and the act 51-52 Victoria, chapter 85, are repealed, and the property of *L'Oeuvre et Fabrique* of the parish of Longueuil, situate in the town of Longueuil, and, generally, all the property in the said town of the nature of that mentioned in article 4500 of the Revised Statutes of the Province of Quebec, are not subject to taxation in the terms of such article.

Property of *L'Oeuvre et Fabrique* of parish of Longueuil and all similar property in said town to be exempt from taxation.

2. This act shall come into force on the day of its sanction.

Coming into force.

## C A P. L X X X I I .

An act to amend the act 39 Victoria, chapter 50, incorporating the City of Sherbrooke, and the acts amending the same.

[Assented to 21st March, 1889.]

WHEREAS it is desirable to amend the act of the Legislature of the Province of Quebec 39 Victoria, chapter 50, intituled " An act to incorporate the City of Sherbrooke," as heretofore amended by the acts 40 Victoria, chapter 27, 42-43 Victoria, chapter 60, 47 Victoria, chapter 84 and 48 Victoria, chapter 69 ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.

1. Section 5 of the act 39 Victoria, chapter 50, is replaced by the following:

39 V., c. 50, s. 5, replaced

5 The City of Sherbrooke shall be represented by its council, which shall be composed of eleven councillors, of whom three shall be elected for the North Ward of the city, three for the Centre Ward, three for the South Ward, and two for the East Ward.

Council to represent city. Composition of council.

Election of mayor.

The council shall elect one of its members as mayor. as hereinafter provided, unless it be decided by the vote to be taken under the provisions of this act, to elect the mayor by the people, in which case the council will consist of such mayor and eleven councillors elected as aforesaid

When election of certain councillors to be held.

The first election of the four additional councillors provided for by this act shall take place at the next annual election of councillors, at which date also the election of mayor, if he be elected by the people, shall be held."

Of mayor in certain event.

39 V., c. 50, s. 6, and 42-43 V., c. 60, s. 1, amended.

**2.** Section 6 of the said act, as amended by the act 42-43 Vic. chap. 60, is further amended by adding after the words " being elected " in the first and sixth lines thereof the following words " or holding the office of "

39 V., c. 50, s. 7 § 2 and 48 V., c. 60, s. 1, replaced.

**3.** Subsection 2 of section 7 of said act, as replaced by 48 Vic., chap. 69, is replaced by the following:

Payment of municipal and school taxes before certain time required for right to vote.

" 2. Provided always that no person, otherwise qualified to vote at any municipal election in the city, shall have the right of voting unless there shall have been paid, on or before the Wednesday next preceding the polling, all municipal and school taxes due by him and due upon the property whereon he qualifies as an elector.

39 V., c. 50, s. 8 and 47, V., c. 84, s. 3, replaced.

**4.** Section 8 of the said act as replaced by 47 Vic., chap. 84, is replaced by the following:

Annual meeting for election of members of council, when and where to be held.

" 8. The meetings of the electors of the city for the annual nomination of councillors (and of the mayor if elected by the people,) under this act, shall be held in the City Hall, or at such other place as may be determined by the city council, on the second Monday in the month of January in each year, at ten of the clock in the forenoon; and public notice thereof shall be given by the secretary-treasurer.

Notice of such meeting.

Appointment of presiding officer.

*a.* The council, previous to the nomination day, shall appoint a presiding officer to conduct the nomination and election, and, in case a poll is granted, he shall, by commission under his hand, appoint a deputy presiding officer for each ward where such poll is granted; and each deputy presiding officer shall, by commission under his hand, appoint a poll clerk.

Deputy-presiding officer.

Poll clerk.

Time for nomination.

*b.* The time for nomination of candidates shall be from the hour of ten to the hour of eleven in the forenoon of the day above stated, unless that day is a non-judicial day, in which case such nomination shall be held on the next following judicial day between the same hours.

Nominations to be in writing, &c.

The presiding officer shall receive the names and put in nomination all candidates duly qualified for the office, who

shall be nominated in writing by not less than twenty-five duly qualified electors for the office of mayor and not less than fifteen for the office of councillor.

Each nomination paper must specify the ward for which the candidate for the office of councillor is proposed. Ward to be signified.

The presiding officer shall require the person producing a nomination paper to make oath before him that the several persons who have signed the nomination paper are electors duly qualified to vote at the election according to the voters' list in force, and that they signed the same in his presence. Oath upon presentation of nomination paper.

The nomination paper shall be in the form A in the schedule to the present act. Form of nomination paper.

c. At the hour of eleven of the clock in the forenoon of the said day, the presiding officer shall then and there publicly declare the names of all candidates for mayor and councillors nominated, with the names of the proposers and with the names of the wards for which the said candidates as councillors are respectively nominated. Declaration of names of persons nominated.

In case there are no more candidates duly nominated than there are vacancies to be filled, the presiding officer shall declare the candidate or candidates nominated to be elected. Declaration of election in certain case.

If there are more candidates duly nominated than vacancies to be filled, the presiding officer shall grant a poll for taking the votes of the electors, which voting shall be by ballot and shall be held in each ward on the Monday following the nomination day, unless such Monday be a non-juridical day, in which case the poll shall be held on the next following juridical day. Poll to be granted if more candidates than vacancies. When to be held.

The poll shall be opened at the hour of nine of the clock in the morning and be kept open until five of the clock in the afternoon of the polling day, and shall be conducted by the deputy-presiding officer appointed for that ward. Time when poll shall be held. Who to conduct.

d. There shall be one white ballot paper for the candidates for the office of mayor and one blue ballot paper for the candidates for the office of councillors; the said ballots shall be printed papers, in this act called ballot papers, with an annex, showing the names and descriptions of the candidates arranged alphabetically, or if there are two or more candidates with the same surname, in the order of their first names. Ballot paper, description, &c.

The names and description of each candidate shall be set forth in the ballot paper as they have been set forth in the nomination paper, and the ballot paper and annex shall be in the form B, in the schedule to this act. How names shall be set forth thereon. Form of ballot paper.

e. At least two days before the day of polling, the presiding officer shall furnish to each of the deputy-presiding List of voters to be supplied to deputy-pre-

siding officers, also ballot boxes. officers, in the wards where a poll is granted, a copy of the voters' list for such ward, certified by the secretary-treasurer of the city, and a ballot box to receive the ballot papers of the voters; which ballot box shall be made of some durable material, with lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked.

Description of ballot box. The presiding officer shall also furnish to each deputy a sufficient number of ballot papers (all of the same description and as near alike as can be) to supply the number of voters in such ward, and with the necessary material for voters to mark their ballot papers.

Ballot papers to be supplied. *f.* At least two days before the polling day, the presiding officer shall also furnish each deputy-presiding officer with at least ten copies of printed directions, in the form C in the schedule to this act, for the guidance of voters in voting—which printed directions, the deputy presiding officer shall, before the opening of the poll on the day of polling, cause to be posted up in some conspicuous places outside of the polling station, and also in each compartment of the polling station.

Directions for voting to be supplied. *g.* The poll shall be held in each ward in a room or building of convenient access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted;

Where to be posted. One or two compartments shall be made within the room, so arranged that each voter may be secured from observation, and may without interference or interruption mark his ballot paper.

Description of polling room. The polling stations shall be selected by the presiding officer, and a notice indicating the location of each of such polling stations shall be posted up in the office of the secretary-treasurer and also in some conspicuous place in each ward at least three days before the polling day.

Compartment therein. *h.* In addition to the deputy presiding officer and the poll clerk, the candidates and their agents (not exceeding two in number for each candidate), and in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given during any time the poll remains open.

Selection of polling station, notice thereof. Any agent, however, having a written authorization from the candidate, shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this subsection.

Who may be present during polling. Agent may always represent candidate.

i. The agents or representatives of each candidate shall take the oath before the deputy presiding officer or any justice of the peace for the district, to keep secret the names of the candidates for whom any of the voters has marked his ballot paper in their presence; which oath shall be in the form D in the schedule to this act.

Oath to be taken by agent, &c.

j. Before entering upon their duties, the presiding officer, the deputy presiding officers and poll clerks shall respectively take the oaths in the forms E, F, and G in the schedule to this act.

Oaths of election officers.

k. At the hour fixed for the opening of the poll, the deputy-presiding officer and the poll clerk shall, in the presence of the candidates, their agents and such of the electors as are present, open the ballot box and ascertain that there are no ballots or other papers in the same, after which the box shall be locked, and the deputy-presiding officer shall keep the key thereof.

Proceedings preliminary to voting.

Immediately thereafter, the deputy-presiding officer shall call upon the electors to vote.

When voting to commence.

l. Not more than one elector for each compartment shall at any one time enter the room where the poll is held.

Only one voter in each compartment.

Each elector, upon entering, shall declare his name, surname and addition, which shall be entered or recorded by the poll clerk in the poll book provided for that purpose, which shall be kept in the form H in the schedule to this act.

Elector to declare name &c., on entering and same to be noted in poll book.

If such name, surname and addition are found on the list of voters for the ward, he shall receive from the deputy-presiding officer a ballot paper, on the back of which the deputy-presiding officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the annex of which he has placed a number corresponding to that placed opposite the voter's name in the poll book.

To receive ballot, if name on list.

Such elector, if required by the deputy-presiding officer, the poll clerk, one of the candidates or their agents, or any elector present, shall, before receiving his ballot paper, take the oath of qualification in the form I in the schedule to this act: which oath the deputy-presiding officer and poll clerk are each hereby authorized to administer.

Oath may be required from elector.

m. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot paper, making a cross with a pencil on any part of the ballot paper within the division (or if there is more than one candidate to be elected, within the divisions) containing the name or names of the candidate or candidates for whom he intends to vote.

Proceedings by elector after receiving ballot paper.

After marking to fold paper and hand same to officer, who is to place it in box, &c.

He shall then fold up such ballot paper so that the initials on the back can be seen without opening it and hand it to the deputy-presiding officer, who shall, without unfolding it, ascertain, by examining his initials and the number upon the annex, that it is the same which he furnished to the elector, and shall first detach and destroy the annex and shall then immediately and in the presence of the elector place the ballot paper in the ballot box.

Assistance to be given to certain persons.

If any voter is unable to read or is incapacitated by blindness or some other physical cause from voting in the manner prescribed in this act, the deputy-presiding officer shall, on the demand of such voter, assist him by marking his ballot paper for him, in the presence of the agents of the candidates or of the electors representing them at the poll and of no other person, and by placing such ballot paper in the ballot box.

Entries to be made in poll book by poll clerk.

n. The poll clerk shall enter in the poll book opposite the name of each elector voting the word "voted" so soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book the word "sworn" or "affirmed" opposite the name of each elector to whom the oath of qualification has been administered, and the words "refused to be sworn" or "refused to affirm" opposite the name of each elector who has refused to take the oath or to affirm.

Entry, if voter has been assisted.

Whenever the ballot paper has been marked by the deputy-presiding officer, he shall enter opposite the name of the voter the reason why the ballot paper was marked by him.

Elector refusing to swear not to receive ballot.

No voter who has refused to take the oath of qualification required as aforesaid when requested so to do, shall receive a ballot paper or be admitted to vote.

Only one vote to be given.

o. No person shall vote more than once in the same ward at the same election, but each elector may vote for as many candidates as there are vacancies in the ward to be filled.

Elector may vote after another has voted in his name, provided he takes oath.

If a person, representing himself to be a particular elector named on the list of voters, applies for a ballot paper after another person has voted as such elector, the applicant, upon taking the oath in the form I in the schedule to this act, shall be entitled to receive a ballot paper and to vote as any other elector; but mention shall be made in the poll book of his having voted on a second ballot paper issued under the same name and of the oath having been required, as well as of any objections made on behalf of any and which of the candidates.

Spoiled ballot papers may be replaced.

A voter, who has inadvertently dealt with the ballot paper given him, in such a manner that it cannot be con-

veniently used, may, on delivering the same to the deputy-presiding officer, obtain another ballot paper in the place of that so delivered up.

p. Every elector shall vote without undue delay and shall quit the polling station so soon as his ballot paper has been put into the ballot box. Voting to be without delay.

Every elector who takes his ballot paper out of the polling station shall incur a penalty of one hundred dollars and, in default of payment, imprisonment for any term not exceeding three months. Penalty for taking away ballot paper.

q. Immediately after the close of the poll, the deputy-presiding officer shall, in presence of the poll clerk and the candidates, or their agents or representatives, and if the candidates, or their agents or representatives or any of them are absent, then in the presence of at least three electors, open the ballot box and proceed to count the number of votes given for each candidate. Counting ballots after close of voting.

In doing so, he shall reject all ballot papers which have not been supplied by him, all those by which votes have been given for more candidates than are to be elected, and all those on which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy presiding officer in the cases hereinbefore provided for. Proceedings thereat.

The other ballot papers being counted and a list kept of the number of votes given to each candidate and of the number of rejected ballot papers, all the ballot papers indicating the votes given for the candidate, or candidates shall be put into a separate envelope or package, and those rejected, those spoiled and those unused into another envelope or parcel. List of votes given, &c. Papers to be placed afterwards in box and locked.

Each such envelope or parcel shall be endorsed so as to indicate its contents and placed back into the ballot box. Parcel to be endorsed and replaced in box.

The deputy-presiding officer shall take a note of every objection made by any candidate or his agent or any elector present to any ballot paper found in the ballot box, and shall decide every question arising out of the objection; the decision of such deputy-presiding officer shall be final, subject to reversal on petition questioning the election or return. Objection to be noted and decided by deputy-presiding officer. Decision to be final unless on petition questioning election.

Each objection to a ballot paper shall be numbered and a corresponding number placed upon the back of the ballot paper and initialed by the deputy presiding officer. Objections to be numbered, &c.

The deputy-presiding officer shall make out a statement of the accepted ballot papers, of the number of votes given to each candidate, of rejected ballot papers, of the spoiled and returned ballot papers and of those unused and returned by him; he shall keep a copy of such statement and enclose the original in the ballot box, together Statements, &c., to be made out by deputy-presiding officer and to be placed in box, with certain documents, &c.

with the voters' list used by him, the poll book and a certificate in such poll book immediately following the name of the person last entered on such poll book as having voted or applied for a ballot paper, of the total number of persons who voted, and shall also enclose in the ballot box such other lists and documents as have been used at such election.

Box to be locked and delivered to presiding officer, &c.

The ballot box shall then be locked and sealed and shall be delivered to the presiding officer, or to his assistant first duly sworn in form K in the schedule to this act, who shall receive and collect the same.

Where presiding officer to count ballots and when &c.

r. On the day following the election the presiding officer at the City Hall, at the hour of eleven in the forenoon, or so soon thereafter as possible, in the presence of two witnesses and of the candidates and their agents, if present, shall open the ballot boxes for the different wards, and ascertain and determine the number of votes given for the different candidates from the statement contained in the several ballot boxes returned by the deputy presiding officers of the ballot papers counted by them.

Declaration of person found to be elected.

The candidate for the mayoralty who is found to have a majority of votes in the city shall then be declared elected as mayor, and the candidates for the office of councillor who are found to have a majority in their respective wards shall be declared elected councillors.

Casting vote by presiding officer in certain case.

s. Whenever, on the final addition of votes by the presiding officer, an equality of votes is found to exist between any two or more candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the presiding officer shall give such additional or casting vote.

Provision in case ballot boxes missing, &c.

t. If the ballot boxes or any of them have been destroyed or lost, or for any reason are not forthcoming, within the delay so fixed, the presiding officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on the deputy-presiding officers whose ballot boxes are missing, or on any person having the same, for the lists, statements and certificates and copies of the lists, statements and certificates of the number of votes given to each candidate, required by this act, the whole verified on oath, which oath the presiding officer is hereby authorized to administer.

Proceedings if lists, &c., cannot be obtained.

If such lists or statements or certificates or any of them or copies thereof cannot be obtained, he shall ascertain by such evidence as he is able to obtain, the total number of votes given to each candidate in the several wards, and he shall return the candidate having the majority of votes, and shall mention specially in his report to be sent with his return, the circumstances accompanying the disap-

Special return.



pearance of the ballot boxes, and the mode by which he ascertained the number of votes given to each candidate.

*u.* The presiding officer shall make his report, indicating the persons elected, without delay to the secretary-treasurer of the city, and shall deliver to the secretary-treasurer, to form part of the records and property of the city, all books, documents and papers connected with the election and also the ballot boxes.

Return to be made to secretary-treasurer of city.

Copies of any of these books, documents and papers, certified by the secretary-treasurer, shall avail as proof in all courts.

Copies to avail as evidence.

Whenever the presiding officer shall have declared a candidate elected by his casting vote, he shall mention the fact in such report.

a Mention to be made if casting vote has been given.

*v.* Every officer, clerk or agent in attendance at a polling place, shall maintain and aid in maintaining the secrecy of the voting at such polling place, and no such officer, clerk or agent shall, before the poll is closed, communicate to any person any information as to whether any person on the list of voters has or has not applied for a ballot paper or voted at that polling place.

Secrecy to be maintained at polling, &c.

No officer, clerk, agent or other person shall interfere with or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling place information as to the candidate for whom any voter at such polling place is about to vote or has voted.

Officer, &c., not to interfere with voter, &c.

No officer, clerk, agent or other person shall communicate, at any time, to any person any information obtained at a polling place as to the candidate for whom any voter at such polling place is about to vote or has voted.

Information not to be given, &c.

Every officer, clerk or agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such officer, clerk or agent shall attempt to obtain at such counting any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

Secrecy to be maintained of counting votes, &c.

No elector shall, except in the case of physical disability or ignorance of reading as provided for, show his ballot paper when marked to any person, so as to allow the name of the candidate for whom he votes to be known.

Elector not to exhibit ballot, &c.

No person shall, directly or indirectly, induce or endeavor to induce any voter to show his ballot paper after he has marked the same.

Voter not to be induced to exhibit ballot paper.

Every one who violates any of the provisions of this subsection shall be liable to a penalty not exceeding one hundred dollars and imprisonment for any term not exceeding three months in default of payment.

Penalty for breach of subsection.

Persons not to declare for whom they have voted.

Inspection of ballot papers when and how allowed.

Hotels and taverns, &c., to be shut, &c.

Penalty if not closed, &c.

Presiding officers and deputies to be conservators of the peace, &c., their powers, &c.

Swearing in of special constables.

Arrest of disturbers of the peace.

Imprisonment of such.

Notification to those elected.

Entry of members of council into office and for how long.

*w.* No person who has voted at an election shall, in any legal proceeding questioning the election or return, be required to state for whom he voted.

*x.* No person shall be allowed to inspect any ballot paper in the custody of the secretary-treasurer, nor to obtain any copy thereof, except under an order or rule granted by a judge of the Superior Court or district magistrate's court of the district, who before granting such rule or order shall be satisfied by evidence on oath that the inspection of a copy of such ballot paper is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition which has been filed questioning an election or return; and any such rule or order may be made subject to such conditions as to person, time, place and payment of fees as the judge may think expedient.

*y.* Every hotel, tavern, or saloon keeper shall close his bar during the day of polling; and no spirituous or fermented liquors or strong drink shall be sold or given at any hotel, tavern, saloon, or shop, or restaurant within the limits of the city during the whole of polling day.

Every one who violates this subsection shall incur a penalty of one hundred dollars and imprisonment for any term not exceeding six months in default of payment.

*z.* The presiding officer and each of the deputy-presiding officers, from the time he takes the oath of office until the day of the closing of the election, shall be a conservator of the peace invested with all the powers appertaining to a justice of the peace, and may require the assistance of justices of the peace, constables and other persons present, to aid him in maintaining peace and good order at the election.

He may, on a requisition in writing, by any candidate or his agent, or by any two electors, swear in such special constables as he deems necessary.

Such presiding officer or deputy-presiding officer may arrest or cause to be arrested by verbal order, and place in the custody of any constables or other persons, any person disturbing the peace and good order at the election, and may cause such person to be imprisoned under an order signed by him until any hour not later than six o'clock in the afternoon of the day of polling.

*aa.* Within two days after the closing of the election, the presiding officer shall notify the candidates elected of their election by special notice in writing.

*bb.* The mayor and councillors elected shall enter into office upon taking the oath of office, and shall remain in office until their successors are sworn.

*cc* The offences of bribery, treating, undue influence and personation, as defined by any act for the time being in force with respect to the election of members to serve in the Legislative Assembly of this Province, shall when committed in, and in connection with, any municipal election in the city of Sherbrooke, be deemed to be corrupt practices.

Every person who is guilty of a corrupt practice at any municipal election in the city of Sherbrooke, shall lose his right to vote at such election, and shall further be liable to the like actions, prosecutions, and penalties except the loss of his future electoral or municipal vote, as if the corrupt practices had been committed at an election of a member to serve in the Legislative Assembly of the Province.

*dd* The expression "ballot paper" in this act, means a ballot paper for the election of the mayor or of councillors or both as the case may be.

5. Section 9 of the said act 39 Victoria, chapter 50, as amended by the acts 42-43 Victoria, chapter 60, 47 Victoria, chapter 84, and 48 Victoria, chapter 69, is replaced by the following :

9. A meeting of the council shall take place within eleven days after the closing of an election, which meeting shall be called by the secretary-treasurer, and special notice of the time and place must be given by him to each of the members of the council and to the members newly elected.

*a*. At this meeting (if the mode of electing the mayor by the rate-payers as hereinafter provided be not adopted) the mayor shall be elected by the council ; but, whether elected by the council or by the people, he shall be elected for one year only, but he shall be eligible for re-election, and shall remain in office until his successor is sworn in.

*b*. The councillors elected at any municipal election shall remain in office during three years, except of the four additional councillors to be elected at the first annual election after the coming into force of this act, two shall retire at the end of two years, and the other two at the end of three years ; it shall be declared by vote, in the manner to be established by the council, which of the councillors elected at the said election shall thus retire at the end of the second year.

The councillors at present holding office will retire from office at the expiration of three years from their respective elections.

*c*. The expenses of every election shall be defrayed out of the funds of the corporation.

Certain offences of the election act to be offences under this act.

Punishment for corrupt practices.

"Ballot paper" defined.

39 V., c. 50, s. 9, as amended by 42-43 V., c. 60, s. 2, 47 V., c. 84, s. 4 and 48 V., c. 69, s. 2, replaced.

First meeting of council after an election and notice thereof.

Election of mayor, if not by people.

Eligible for re-election. Term of office.

Term of office of councillors. Of certain councillors.

How certain councillors shall be selected to retire.

Present councillors, term of office.

Election, expenses payable by corporation.

Councillor elected for more than one ward to declare for which ward he intends to sit.  
New election in such case for other ward, &c.

Councillor elected mayor by people, seat becomes vacant.

*d.* If a person is elected to represent more than one ward, he shall declare, at the first meeting of the council, for which ward he intends to sit, and thereupon a new election shall be held for the other ward or wards, following the procedure hereinbefore laid down; and the days therefor shall be fixed by the council at as early a date as possible following such first meeting as will allow the required notices to be given.

*e.* If a councillor is elected mayor by the rate-payers, his seat shall thereby become vacant, and a new election shall be held for the ward in which such vacancy occurs as provided for in subsection *d* of this section."

30 V., c. 50, s. 14 repealed.

**6.** Section 14 of the said act 39 Victoria, chapter 50, is repealed.

39 V., c. 50, s. 15 replaced.

**7.** Section 15 of the said act is replaced by the following:

Contestation of elections to be governed by Municipal Code.

" 15. If the election of mayor, of all or of one or more of the councillors be contested, such contestation shall be conducted and decided according to the provisions of the Municipal Code, relating to contestations of municipal elections.

Judgment annulling election must order new one and fix day therefor, &c.

If the judgment annuls the election, without stating who should fill the office, the court must, in the same judgment, order a new election, fix the day for nomination and polling and appoint a presiding officer "

39 V., c. 50, s. 41, § 6 replaced.

**8.** Subsection 6 of section 41 of the said act is repealed and replaced by the following:

Buildings and grounds of hospitals, &c., exempt from taxes.

" 6. All buildings, grounds and property occupied and used for hospitals or other charitable institutions, not exceeding ten acres, so long as used for those purposes.

Certain agreement ratified.

The agreement entered into between the corporation of the city and the Sherbrooke Library Art Association, respecting the exemption from taxation of the premises of said association, so long as the use of the present rooms occupied by the Library and Art Union is given to them by said association free of charge for rent, is hereby confirmed."

Certain expenses to be paid by corporation.

**9.** All expenses, not exceeding the sum of four hundred dollars, incurred by the citizens in the interest of the city, in connection with the present amendments, of which an account in detail shall be rendered to the council, shall be paid by the corporation of the said city to the chairman of the committee of citizens appointed to carry out the said amendments.

**10.** Within sixty days from and after the sanction of Council to ascertain whether rate-payers desire to elect mayor, this act, the city council of the said city of Sherbrooke shall proceed to ascertain whether the majority of the rate-payers of the city is in favor of electing the mayor by the said rate-payers instead of as at present by the council.

The said question shall be decided by ballot in each ward separately; each municipal elector, whose name appears in the valuation roll now in force, having the right to vote on the said question, without regard to the payment of taxes.

The secretary-treasurer of the city shall give, in the usual manner, a public notice of at least one month of the day fixed for voting on the said question; and the vote shall be taken in accordance with the provisions of this act for the election of mayor and councillors.

The council shall appoint for the said purpose a fit and proper person to act as presiding officer and to conduct the proceedings connected with the said vote.

On each ballot paper to be used for taking the said vote shall be printed the following words "For," which will mean in favor of the election of the mayor by the rate-payers, and "Against" which will mean against the said mode of election; and each elector shall mark his ballot paper accordingly.

If the majority of the votes cast is against the election of the mayor by the rate-payers, then and in that case only the provisions hereinabove contained with regard to the election of the mayor by the rate-payers shall be null and void, and if, otherwise, then they shall remain in full force and effect.

In case the city council fail to carry out the provisions of this section, then any duly qualified municipal elector may by petition apply to a judge of the Superior Court to appoint such presiding officer for the purposes aforesaid.

**11.** This act shall come into force on the day of its sanction.

## SCHEDULE

## A.

## NOMINATION PAPER.

We, the undersigned electors of the                      ward in the  
city of Sherbrooke, hereby nominate  
(*Names, residences and additions of person or persons nominated*)  
as a candidate (*or candidates*) at the election now about  
to be held for the election of mayor or of municipal coun-  
cillor in the                      ward of said city.

Witness our hands at the city of Sherbrooke this  
day of                      18

Signed by the said electors in {  
presence of                      }

I,                      of the city of Sherbrooke, being duly  
sworn, do depose and say :

I am one of the subscribing witnesses to the foregoing  
nomination paper.

I personally know the signers of said paper and know  
that they are duly registered in the voters' list as electors  
for the                      ward of said city and that they severally  
signed the said nomination paper in my presence.

Sworn (*or affirmed*) before me at {  
the city of Sherbrooke, this {  
day of                      18 }

Justice of the Peace.

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## B.

## BALLOT PAPER.

*Ward of the city of Sherbrooke.*

<b>1</b>	DOE, John Doe, of the city of Sherbrooke, Grocer.	
<b>2</b>	ROE, Richard Roe, of the city of Sherbrooke, Baker.	<b>X</b>
<b>3</b>	STILES, Geoffrey Stiles of the city of Sherbrooke, Butcher.	
<b>4</b>	STILES, John Stiles, of the city of Sherbrooke, Advocate.	

The names of the candidates will be as in the nomination paper.

There is to be no margin on the left side of the ballot paper, and the horizontal divisional lines will be carried to the edge of the paper, on the right side.

The elector is supposed to have marked his ballot paper in favor of Richard Roe.

There will be a line of perforations for easily detaching the counterfoil.

## C.

## DIRECTIONS FOR THE GUIDANCE OF ELECTORS IN VOTING.

The voter may vote for as many candidates as there are members to be returned, or he may vote for any number

of candidates less than the number to be returned as he thinks fit.

The voter will go into one of the compartments, and with a pencil there provided, place a cross in the division containing the name or names of the candidate or candidates for whom he votes, thus : X.

The voter will then fold the ballot, so as to show a portion of the back only, with the number, and the initials of the deputy presiding officer; he will deliver it to the deputy presiding officer who will place it in the ballot box.

The voter will then forthwith quit the polling station.

If a voter inadvertently spoils a ballot paper, he may return it to the proper officer, who, on being satisfied of the fact, will give him another.

If the voter votes for more candidates than he is entitled to vote for, or places any mark on the ballot paper, by which he can afterwards be identified, his vote will be void and will not be counted.

If the voter takes a ballot paper out of the polling station or fraudulently puts any other paper into the ballot box than the ballot paper given him by the deputy-presiding officer, he will be subject to be punished by fine of one hundred dollars or by imprisonment for a term not exceeding three months.

#### D.

#### OATH OF AGENT OF A CANDIDATE, OR OF ELECTOR REPRESENTING A CANDIDATE.

I, the undersigned, G. H. agent for (or elector representing) J. K., one of the candidates at the election now pending for the                      ward of the city of Sherbrooke, solemnly swear (or, if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm) that I will keep secret the names of the candidates for whom any of the voters at the polling station in the said ward marks his ballot paper in my presence at this election : So help me God.

(Signature.)                      G. H.

Sworn (or affirmed) before me, at the  
city of Sherbrooke, this                      day of                      18

(Signature.) A. B.  
Deputy presiding officer.  
or C. D.  
Justice of the Peace



## E.

## OATH OF THE PRESIDING OFFICER.

I, the undersigned, A. B., presiding officer for the city of Sherbrooke, solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil Cases, solemnly affirm*) that I am legally qualified according to law to act as presiding officer for the said city of Sherbrooke, and that I will act faithfully in that capacity, without partiality, fear, favor, or affection : So help me God.

(Signature.)

A. B.  
Presiding Officer.

Sworn (*or affirmed*) before me, at  
the city of Sherbrooke, this }  
day of 18 }

(Signature.) C. D.

Justice of the Peace.

## F.

## OATH OF DEPUTY-PRESIDING OFFICER.

I, the undersigned, G. H., appointed deputy-presiding officer for the ward of the city of Sherbrooke, solemnly swear (*or, being one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I will act faithfully in my said capacity of deputy-presiding officer, without partiality, fear, favor, or affection. So help me God.

(Signature.) G. H.

Deputy-Presiding Officer.

Sworn (*or affirmed*) before me, at  
the city of Sherbrooke, this }  
day of 18 }

(Signature.) C. D.

Justice of the Peace.

or A. B.  
Presiding Officer.

G.

## OATH OF POLL CLERK.

I, the undersigned, I. J., appointed poll clerk for the ward of the city of Sherbrooke, do solemnly swear (*or, if he is one of the persons permitted by law to affirm in civil cases, do solemnly affirm*) that I will act faithfully in my capacity of poll clerk, and also in that of deputy-presiding officer, if required to act as such, according to law, without partiality, fear, favor or affection. So help me God.

(Signature.) I. J.

Poll Clerk.

Sworn (*or affirmed*) before me, }  
at the city of Sherbrooke, }  
this            day of            18   }

(Signature.) C. D.

Justice of the Peace.

*or* A. B.

Presiding Officer.

*or* G. H.

Deputy-Presiding Officer.

## H.

## FORM OF POLL-BOOK.

Number of the Voters.	
Names of the Voters.	
Addition or occupation.	
Place of residence.	
Owner or tenant or other qualification.	
Objections.	
Sworn or affirmed.	
Voters refusing to be sworn, or to affirm.	
Voters voting after others have voted in their names.	
Remarks.	

## I.

FORM OF OATH OF QUALIFICATION OF A PERSON WHOSE  
NAME IS REGISTERED AS A VOTER ON THE  
LIST OF VOTERS.

I, (A. B.) solemnly swear (*or, if he is one of the person permitted by law to affirm in civil cases, solemnly affirm :* )

1. That I am the person named, or purporting to be named, by the name of \_\_\_\_\_ (*and if there are more persons than one of the same name on the said list, inserting also his addition or occupation*) on the list of voters for the \_\_\_\_\_ ward of the city of Sherbrooke ;

2. That I am a British subject by birth (*or naturalization, as the case may be*) and that I am of the full age of twenty-one years.

3. That I have not voted before at this election at the said \_\_\_\_\_ ward ;

4. That I have not received anything, nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time travelling expenses, hire of team, or for any other service, connected therewith.

5. That I have not directly or indirectly paid or promised anything to any person, either to induce him to vote, or to refrain from voting at this election : So help me God.

(Signature.)

Sworn (*or affirmed*) before me at the  
city of Sherbrooke, this \_\_\_\_\_ day of \_\_\_\_\_ 18

(Signature.) C. D.

Justice of the Peace.

or G. H.

Deputy-Presiding Officer.

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K.

OATH OF ASSISTANT OF THE PRESIDING OFFICER.

I, A. B., of \_\_\_\_\_, assistant appointed by  
C. D., presiding officer for the city of Sherbrooke, in the  
Province of Quebec, do solemnly swear, (*or, if he is one of*

*the persons permitted by law to affirm in civil cases, solemnly affirm) that the several boxes to the number of now delivered by me to the said presiding officer have been handed to me by the several deputy-presiding officers at the present election for the said city of Sherbrooke, (or by,—here insert the names of the deputy presiding officers who have delivered the said boxes) and that they have not been opened by me, or any other person, and that they are in the same state as they were when they came into my possession. (If any change has taken place the deponent shall vary his deposition by fully stating the circumstances.)*

(Signature.) A. B.

Sworn (or affirmed) and subscribed before me, at the city of Sherbrooke, this day of in the year 18

(Signature.) X. Y.

Justice of the Peace

or A. B.

Presiding Officer.

or G. H.

Deputy-Presiding Officer.

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### CAP. LXXXIII.

An Act to amend the various acts relating to the corporation of the town of Lachine, and to confer further powers on the said corporation.

[Assented to 21st March, 1889.]

**W**HEREAS the council of the town of Lachine has, by Preamble. petition, represented that it has become necessary, in order to meet the requirements of the population, to pass an act conferring upon the said town more extensive powers than those it possesses under the various acts which have governed it up to the present, and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :